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**Re:Delphi Salaried Pension**

**Bankruptcy Court**

**Judge Robert D. Drain**

**U.S. Bankruptcy Court Case #05-44481**

**One Bowling Green**

**New York, New York 10004-1408**

**914-390-4073**

June 8, 2009

**Dear Judge Drain,**

I am a GM/Delphi salaried retiree. I was forced to retire at the age of 54 in Oct. 2008. I worked the majority of my 32 year career as a loyal GM salaried employee before the calculated and fraudulent creation and destructive spin off of Delphi. GM had pensions, healthcare and other retiree OPEB promised obligations from 5 other subsidiaries that went belly up, plus many GM salaried employees/retirees from GM itself. GM continued to pay those earned benefits to the retirees from the subsidiaries as well as GM's own retirees. But GM decided to rid itself of those obligations and pocket the savings. So they "made up" a new company and named it Delphi. The new Delphi fraudulently manipulated their numbers among other things so it appeared as a thriving, upward moving and stable company to investors. This is very similar to the Enron scandal but not as large in scale. Currently some of the guilty parties are still in litigation for their illegal activities.

When GM created their "doomed to die company named Delphi", GM dumped all 5 subsidiaries' pension plans and all OPEB, plus the previous GM employees/retirees now called Delphi employees/retirees onto this new company called Delphi. NONE of those retirees from GM's subsidiaries ever worked a day in life for Delphi yet Delphi had the obligation for their healthcare, OPEB and pensions!

GM also expected Delphi to accept less payment for the cost of making the same parts for GM. GM always intended for Delphi to die so they could rid themselves of those "legacy" costs and take Delphi back with a much lighter load. Mr. Geithner, we aren't "legacy cost" and I resent the negative label. We worked with honor and integrity which is far more than I can say about GM/Delphi. We are the hard working and dedicated retirees, many of whom were forced to retire. Without being held responsible for the promised OPEB, and a two tier pay scale, GM's potential for profits could be limitless.

President Obama praised the UAW for their deep cuts in their efforts to help save the

company. They have agreed to only getting paid time and a half for any hours worked over forty hours in any given week. Salaried employees however worked whatever extra hours were required to get the job done...without any kind of monetary compensation whatsoever. This was a requirement for continued employment for the salaried employee.

The UAW recently gave up COLA as part of their concessions. Salaried workers gave up COLA over twenty years ago in 1989 to help the flailing GM as a goodwill gesture, in hopes the union followed suit to help GM through their difficult times. The UAW wouldn't help GM out in their difficult years by giving up their COLA, in fact, the UAW held on tightly to their COLA for over twenty years. That imbalance remained until this recent threat of bankruptcy.

The UAW also just agreed to do away with their jobs bank. When a UAW worker was indefinitely or temporarily laid off, they continued to collect 90 or 95% of their pay in addition unemployment and sub-pay. When a salaried employee was laid off, it was unemployment....period.

The UAW has made almost no sacrifice in regards to their healthcare costs. Yet the Delphi Salaried Retirees lost all medical, dental, vision, life, accident and extended care insurance on March 31, 2009. These are just a FEW of the sacrifices we have made during our career where the UAW kept adding more and more benefits through their negotiations.

Now our pensions are in jeopardy. I personally spoke to the PBGC and was told to contact someone from our pension plan to find out how much our vested pension amount will be in the event of a default. Our pension amount will be slightly over \$1200/mo due to my age of 55. I will lose the majority of my pension because the bulk of my pension is an early retirement supplement that the PBGC does not guarantee.

Your Honor, that's poverty level for a family of two. That's a very hard pill to swallow considering I worked for the largest company in the world.

So I am respectfully asking you to encourage the Automotive Task Force to require GM to fold the Delphi salaried pensions back into GM's pension plan where it should never have been moved from to begin with.

In closing, I am in this dire situation due to no fault of my own. If my pension goes to the PBGC, I will find myself in a hole I may never be able to get out of. That would preclude me from ever buying a new car again. In the event I am able to dig myself out of this hole I've been shoved into, I will gladly return the loyalty that I've been shown. I realize we all "need to take a hair cut" but taking everything, including my pension is not a haircut, it is a decapitation. Thousands of Delphi's Salaried Retirees feel as I do. I can't begin to fathom the multiplier effect of the loss of our pensions will have on GM sales. Each and every monthly PBGC pension check I receive will be a reminder of what has been done to me. That will keep me motivated to spread the word to whoever will listen to...STOP BUYING GM!

Respectfully,

Dave Muffley

Delphi Salaried Retiree

**Re: Delphi Salaried Retiree pension**